

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PRINCE ALLEN MARSH,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO. 05-087 (JJF)
v.)	
)	
DELAWARE STATE UNIVERSITY, DR.)	
CHARLES SMITH, DREXEL BALL, KAY)	
MOSES, and LOWAN PITT,)	
)	
Defendant.)	
)	

DEFENDANTS' PROPOSED SPECIAL VERDICT FORM

As part of your deliberations, please answer the following questions:

1. Has plaintiff proven by a preponderance of the evidence that he was deprived of his right to a trial by jury with respect to the Zero Tolerance Subcommittee hearing by any of the following persons?

(a)	Dr. Charles Smith		
	Yes _____	No _____	
(b)	Drexel Ball		
	Yes _____	No _____	
(c)	Kay Moses		
	Yes _____	No _____	
(d)	Lowan Pitt		
	Yes _____	No _____	

2. Has plaintiff proven by a preponderance of the evidence that he was subjected to cruel and unusual punishment with respect to the Zero Tolerance Subcommittee hearing by any of the following persons?

(a) Dr. Charles Smith

Yes _____ No _____

(b) Drexel Ball

Yes _____ No _____

(c) Kay Moses

Yes _____ No _____

(d) Lowan Pitt

Yes _____ No _____

3. Has plaintiff proven by a preponderance of the evidence that he was deprived of due process with respect to the Zero Tolerance Subcommittee hearing by any of the following persons?

(a) Dr. Charles Smith

Yes _____ No _____

(b) Drexel Ball

Yes _____ No _____

(c) Kay Moses

Yes _____ No _____

(d) Lowan Pitt

Yes _____ No _____

4. Has plaintiff proven by a preponderance of the evidence that his race as an African-American was a motivating factor with respect to the decision rendered from the Zero Tolerance Subcommittee hearing by any of the following persons?

(a) Dr. Charles Smith

Yes _____ No _____

(b) Drexel Ball

Yes _____ No _____

(c) Kay Moses

Yes _____ No _____

(d) Lowan Pitt

Yes _____ No _____

[If you answered “Yes” to any of the above questions, go to question 5. If you answered “No” to all of the above questions, your deliberations are ended and you may stop here.]

5. What dollar amount will fairly compensate plaintiff for the losses suffered by him as a result of the violation of his rights?

\$ _____

[Go to question 6.]

6. Do you find that any of the individual defendants acted recklessly, intentionally or maliciously with respect to plaintiff?

Yes _____ No _____

If you answered “Yes,” and you wish to exercise your discretion to award punitive damages, enter below what you believe to be the amount of punitive damages which you believe is appropriate to punish and deter each defendant’s illegal conduct.

Dr. Charles Smith \$ _____

Drexel Ball \$ _____

Kay Moses \$ _____

Lowan Pitt \$ _____

[Your deliberations have now ended.]

THE FOREGOING IS THE VERDICT OF THE JURY. EACH JUROR MUST SIGN
BELOW.

Foreperson

Juror

Juror

Juror

Juror

Juror

Juror

Juror

Dated: _____